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MAR 05 2019

UNITED STATES DISTRICT COURT

for the

Northern District of Iowa

Cedar Rapids Division

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

S. Courtney Center

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Catholic Worker House / Larissa

Defendant(s) (CASE WORKER)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

19-CV-28-CJW

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☐ Yes

☒ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

*I'm staying at Catholic Worker House, but I'm not sure how much longer I can stay there. The address in the night is my brother's address; his phone number is also included.

B. The Defendant(s)

S. Courtney Center
404 Sandy Knoll Dr.
Coppell TX 75019
City State Zip Code
Dallas
1-214-505-8919
Scenter@1@hotmail.com

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name
Job or Title (if known)
Address
County
Telephone Number
E-Mail Address (if known)

Catholic Worker House / Larissa Lead (Lead)
~~XXXX~~ Main Caseworker
1077 5th Avenue SE
Cedar Rapids IA 52403
City State Zip Code
Linn County
1-319-362-9041

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name
Job or Title (if known)
Address
County
Telephone Number
E-Mail Address (if known)

City State Zip Code

☐ Individual capacity ☐ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐

Federal officials (a *Bivens* claim)

☐

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Lanessa at Catholic Worker House violated the Americans with Disabilities Act under reasonable accommodations. Due to the ~~trial~~ court ~~was~~ hearing at Linn County ~~and~~ District Court being rescheduled again to 22 April 2019,

C. I ~~as~~ explained the Americans with Disabilities Act to Lanessa & Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

asked her if I could stay there until after the court hearing. She told me I had to leave & that

the defendant 42 US Code 3631 & the laws on housing (ADA & the Americans with Disabilities Act) do not exist. she doesn't even know laws since

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur? ^{St. John's} Catholic Worker House
1027 5th Ave. SE
Cedar Rapids, IA 52403
- B. What date and approximate time did the events giving rise to your claim(s) occur?
- ① 1 March 2019 at approximately 3:00 PM - 3:30 PM
Friday afternoon
- ② 3 March 2019 at approximately 11:00 - 11:30 AM (weekly meeting with Larissa)
- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)
- When I went to the rescheduled court hearing on 28 Feb. 2019 at 1:30 PM, the close captioning system was terrible. Every 3 to 10 words, the stenocode wouldn't convert to words said during court. I missed out on a lot of information. (I went to took classes at an university years ago. The close captioning system (Capt) used by stenographers during classes were far better than the one used at this court hearing.)
- I knew I'd be at a grave disadvantage since I'm deaf & need lips. My hearing aid isn't working.
- I asked the judge if the court would set a better (Capt) close captioning system. Under Title III of the

Americans with Disabilities Act. Hence, the court hearing is rescheduled again for 22 April 2019 at 1:30 PM.

When I returned to Catholic Worker House ^{at around 3-3:30 PM} after going to the library on 1 March 2019, Larissa was at the office. I explained my situation ^{about} ~~the~~ the court hearing & asked if I could stay at Catholic Worker House until after I went to the court hearing on 22 April 2019. Larissa looked angry & told me I can stay there for 2 more weeks. She looked down ~~and~~ afterwards as if she didn't want to talk to me.

On 3 March 2019, I had a weekly meeting with Larissa (don't know her surname) at 11:00 AM.

I reiterated to her about my situation & asked her if I could stay there until after the court hearing.

She was hostile - She told me I could no longer stay there. She said she called Waypoint & ~~she~~ told me I have a bed at a women's shelter. I didn't know anything about Waypoint; I've never heard of it. It didn't show up online when I looked up Google Maps.

~~I was shocked & terrified. I went to my room (Room 10)~~

I told her about 42 U.S. Code 3631 & ^{about} ~~the~~ the Americans with Disabilities Act. I explained to her that because I'm deaf I have a right to stay at Catholic Worker House until I get my situation resolved. She said those laws "do not exist." She was sarcastic when she said that. She said that the women's shelter was a "voluntary shelter" & she had "the right to make rules." I told her since the shelter is open to the public, she & the shelter still have to obey all federal laws & ^{US} civil rights laws. She kept repeating what she said & told me

(front) listening to anything I said. She said something else & I asked her, "What did you say?" She said "I already explained everything to you." I reminded her that I'm deaf & read lips. I left the kitchen. Larissa left the office & walked to the kitchen during the meeting. Another caseworker, Jasmine, followed us & was eavesdropping right in front of me. It was creepy. Also, there were video cameras everywhere except in the bathrooms & bedrooms.)

I went upstairs to my room (#2) & found information on 42 U.S. Code 3631 & the Americans With Disabilities Act (reasonable accommodation). I wrote down what she said on 1 March & on that day (3 March.)

I gave her the two documents. She said I didn't have to leave that day, she said she'll call Waypoint.

I sent a message via Facebook to Catholic Worker House on 3 March. I reminded Larissa that under the Americans With Disabilities Act, I have a right to stay there due to extenuating circumstances & that she must abide the ADA under reasonable accommodations.

(I explained to her previously on 1 March 2019 & on 3 March 2019 that I didn't anticipate that the court APT/captivity would be terrible & that I had to request a better APT. I had a that right under Title III under the Americans With Disabilities Act; thus, the court hearing is rescheduled to 22 April 2019 at 1:30 PM),

Larissa replied via Facebook that I can stay at Catholic Worker House for another week & that I have to leave on 11 March 2019.

I went to Waypoint. The receptionist never mentioned that Larissa called when I explained to her about my predicament. She said there's no room at the Waypoint Innments.

Shelter.

(BACK)

I didn't believe the receptionist, this isn't the first time shelters wouldn't let me stay there, I knew it was discrimination because I'm deaf.

Thus, Larissa gave false & conflicting statements about my stay & about Waypoint. Bottom line: She lied to me.

I don't feel safe living at coed shelters because I'm concerned I'll be raped. I'm deaf & can't hear at all.

Also, last night, I caught one of the residents, CJ, complaining that I'm deaf & that I had a right to stay there. She said, "She's deaf..." She was angry & mocked me, as if I'm not really deaf.

Obviously, the staff & residents gossip about me behind my back. That's harassment (35, 134).

The staff & residents do not understand that there are deaf people in my generation who learned how to speak & hear with a hearing aid. This was before sign language was popular. These people don't realize ~~it~~ it was hard work learning how to speak & hear with a hearing aid when we were toddlers, long before cochlear implants, that people at a young age had to learn how to speak & wear hearing aids.

I read lips
during all of

the incidents at Catholic Worker House.

Also, Larissa violated 35, 134 of the Americans with Disabilities Act (coercion, intimidating interference). She's forcing me to die out on the streets, & forcing me to not go to the court hearing on April 1, 2019.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I'd like to stay at Catholic Worker House until after the 22 April 2019 court hearing & get my car back. (I already filed lawsuits against the Marion, IA Police Department, Terrah's Towing & Union County District Court.)

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5 March 2019

Signature of Plaintiff

Printed Name of Plaintiff

S. Courtney Center

S. Courtney Center

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address